

# United To Win

The Quarterly Newsletter of United Taxicab Workers  
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## ***UTW Enters its 20th Year!***

*If you check out the volume number of this newsletter, located directly above this box, you'll note that this is the 20th year of United to Win! That's right — United Taxicab Workers has been defending the rights and promoting the interests of San Francisco cab drivers for almost two decades. That may make us the longest-established voluntary association of taxi drivers in the country. (At least, we don't know of any that have been around longer.)*

*For a summary of some of our accomplishments, turn to page 6. For an idea of what we're up to now, just read this publication. And as for the future, stay tuned. The best is yet to come — and maybe sooner than you think.*

## **Health Care Plan On its Way at Last**

**By Ruach Graffis**

Imagine getting health care for a cost you can afford. Getting your blood pressure checked regularly. Getting that flu shot every year so your passengers don't make you sick every winter. Talking to a nutritionist so that "high blood sugar count" doesn't turn into diabetes.

## ***PC&N Hearing Set for Feb. 13***

The Taxi Commission's 2007 Public Convenience and Necessity (PC&N) hearing on the subject of taxi service and whether more cabs are needed will take place Tues., Feb. 13 in City Hall, Room 400. The meeting starts at 6:30 p.m.

Those wishing to participate may testify in person or make submissions in writing. Submissions must be received by Feb. 6. The commission's address is: 25 Van Ness Ave., Suite 420, San Francisco, CA 94102.

The commission will also vote on its 2007-08 proposed budget at the Feb. 13 meeting.



*UTW Chair Thomas George-Williams shows off his new mailbox. A mysterious blast on Dec. 12 destroyed the old one. Was it a warning or a prank? Thomas tells the tale on p.4.*

Going to the doctor when you need to, instead of waiting until it becomes an emergency.

The last time cab drivers had health care coverage was in the late 1970's, when we still had a union contract. Thanks to the efforts of the United Taxicab Workers, health care may soon become a part of our industry again.

In 2002, in conjunction with a meter and gate raise, the Board of Supervisors passed a law requiring that, consistent with a city feasibility study, cab drivers get health care coverage. As a way to motivate the companies to work for the common good of the industry, a health care plan, if found feasible, was supposed to be implemented by January 2004, or the city's gate cap was to revert back to \$85. A City Controller's study said it was possible to provide health care for cab drivers. We should have been "off to the races," but we all know what happened next.

Nothing.

2004 came and went. So did 2005. It was 2006,

*(Continued on p.4)*

## Oka Appointed to Commission

Mayor Gavin Newsom has appointed Bruce Oka to fill the senior/disabled seat on the Taxi Commission. He replaces Michael Kwok, who resigned his seat at the commission's Jan. 9 meeting.

Oka has been an advocate for the disabled for some 40 years. He is a founding member of the San Francisco Municipal Railway Advisory Committee and a sensitivity trainer for taxi drivers, the Police Department and Muni.

He has served as president of the United Cerebral Palsy Association of San Francisco and President of the Committee on Asians with Developmental Disabilities. He is also a consultant on the Americans with Disabilities Act (ADA) with the Hyatt Hotels.

Oka is an alumnus of Mission High School and holds bachelors' and masters' degrees in Health Education and Health Sciences from San Francisco State University.

Among his main priorities on the commission are giving the disabled community decision-making power over the awarding of ramp taxi medallions, getting a health care plan for taxi drivers and making 25 percent of taxis wheelchair accessible.

Mayor Newsom also reappointed Commission Vice-President Patricia Breslin to her hospitality industry seat. Breslin is Director of the Hotel Council.

Supervisor Chris Daly asked the Board of Supervisors to review Breslin's appointment, but after a public hearing the Board let the nomination stand.

At the

## Taxi Commission

The Taxi Commission meets the second and fourth Tuesdays of each month at 6:30 p.m., in room 400 of City Hall. Special meetings may be scheduled as needed. The following is a summary of significant commission proceedings at recent meetings:

### November 14

The commission discussed adoption of an attendance policy for commissioners.

It approved a survey of taxi service to be conducted in connection with the commission's upcoming Public Convenience and Necessity hearing and a survey of drivers on the subject of health care for use by its Health Care Working Group.

David Augustine of the Treasurer and Tax Collector's Office informed the commission that his office intends to charge taxi drivers an annual \$25 registration fee for doing business in the city. He said city law required payment of the fee. (See p.3.)

### November 28

Sgt. Ron Reynolds, recently assigned to the Taxi Detail, introduced himself to the commission.

The commission appointed economist Brian Browne to the Health care Working Group to replace Luxor Cab President John Lazar, who had resigned from the group.

It upheld Executive Director Heidi Machen's decision denying a medallion applicant's request for a waiver of the applicants' driving requirement on the basis of disability, and offering an accommodation rejected by the applicant.

### December 12

The commission again discussed the Treasurer's determination that taxi drivers must pay an annual business registration fee. (See p. 3.)

It conducted its annual taxi safety hearing. (See p.3.)

It approved a change in its By-Laws establishing an attendance policy for commission members.

### January 9

The commission heard a presentation on the city's 311 Call Center, which will begin operations March 29.

It denied a request by a medallion holder for a waiver of the driving requirement on the basis of disability.

### January 23

The commission discussed its 2007-08 budget and the hiring of investigators. (See below.)

### Waybill Audit Finds 'Massive Fraud'

An audit of waybills for 2005 has uncovered "massive fraud" on the part of some medallion holders who are violating the Proposition K driving requirement. The audit, conducted by Taxi Commission staff, found 112 medallion holders to be "egregious violators" of the requirement. Another 122 are under further investigation, while 223 more have been asked to provide missing waybills.

Staff has requested funding for two investigators to conduct further investigations and prepare disciplinary proceedings against violators. The investigators would also have authority to cite drivers for rule infractions and issue citations against vehicles illegally providing taxi services.

The commission will decide whether to include the request in its proposed budget at its Feb. 13 meeting.

## ***Expired A-Card Could Be Costly***

*If you haven't yet renewed your A-card, do it soon. A-cards renewed after Jan. 31 currently incur increasing penalties, from 10 percent for up to one month's delinquency to 25 percent or more. Permits that are not renewed by June 30 are subject to revocation by the Taxi Commission.*

*But under new legislation expected to become law, A-card holders who do not renew by April 1 would be required to file a new A-card application and pay the applicable fee of \$65 plus the A-card renewal fee and a 25 percent penalty.*

*And drivers who do not renew by April 30 will have their permits automatically expire. They will have to obtain a new A-card, which means completing taxi school and attending the police orientation class. The total cost would be about \$300.*

## **Commission Holds Safety Hearing**

There were 14 reported taxi robberies between Jan. 1 and early December, down from 20 robberies in 2005, according to Sgt. Ron Reynolds of the Taxi Detail. Sgt. Reynolds presented the figures at the Taxi Commission's annual safety hearing, held Dec. 12.

Sgt. Reynolds reported that cab drivers committed four sexual assaults and one kidnapping and false imprisonment in 2006. Two drivers reportedly made terrorist threats.

The commission heard from Dan Borg, supervisor of the Ground Transportation Unit at San Francisco International Airport. The GTU is in charge of annual taxi inspections.

Borg was critical of the commission's rule allowing taxis to remain in service until they reach eight model years or have gone 350,000 miles. He questioned the structural integrity of vehicles with that much use.

Jim Aldrich of the Office of Emergency Services talked about incorporating taxis into the city's emergency response planning. He suggested that drivers could be paid with city vouchers for providing transportation during an emergency.

The crime statistics did not include the murder of a driver in the city of Richmond last year. Musharaf Poswal, a long-term lessee at Yellow Cab, was killed Oct. 15 while leaving his cab for the day driver.

There also was a recent incident at Arrow Cab in which three drivers were held up in the drivers room. UTW has filed a complaint with the California Occupational and Safety Administration (Cal OSHA) urging safety improvements at the lot.

## **Yellow and Luxor Still Overcharging Drivers**

Despite an increase in the city's gate cap and a pending class-action lawsuit, Yellow and Luxor cab companies continue to violate the cap.

The Board of Supervisors raised the cap from \$85 to \$91.50 effective Nov. 1. But Yellow and Luxor are charging an average of \$92.50, as they have been for the past several years.

United Taxicab Workers and three cab drivers brought the lawsuit against Yellow, Luxor and Arrow cab companies to recover gate overcharges since Sept. 1, 2004. The gate cap was reduced to \$85 as of that date, but the three defendants and other companies continued to charge the previous gate of \$91.50 a shift or higher. Arrow, which still charges \$91.50, is currently in compliance with the cap.

According to our attorneys, it will be some time before the lawsuit comes to trial. In the meantime, the Taxi Commission has taken no action to stop Yellow and Luxor from continuing their overcharges.

The meter is running.

## ***Tax Collector Sets Sights on Drivers Through Business Registration Fee***

You paid for your new A-card and thought you were square with the city till next year? Not so fast. The Treasurer/Tax Collector has decided that in addition to the A-card fee, from now on drivers must pay a business registration fee.

The fee for drivers is \$25 a year. In late January, the Tax Collector sent drivers a bill for \$50 to cover the 2006-07 and 2007-08 fiscal years.

David Augustine of the Tax Collector's Office informed the Taxi Commission in November that his office would be collecting the fee, which it had never imposed before. He claimed city law required it.

A subsequent opinion of the City Attorney's Office seemed to back him up. But on a return visit by Augustine to the commission in December, Comm. Malcolm Heinicke asked Augustine's office to look into the matter again. Heinicke suggested that cab drivers were acting as agents of cab companies rather than conducting their own businesses, and shouldn't be subject to the fee.

Without responding to Heinicke's request, the Tax Collector sent out the bills. They are due Feb. 28.

UTW has received numerous complaints and requests for advice. We are suggesting that drivers not pay for now. We're weighing our legal and political options, and will update drivers before the deadline.

# Mysterious Blast Destroys UTW Chair's Mailbox

By Thomas George-Williams

I was sitting in front of my computer on Wednesday, Dec. 12 around 3:45 p.m., enjoying my off-day, when the building shook from an explosion. I looked up and saw a cloud of grayish smoke about 30 feet high coming from the place where my mailbox used to be.

I went outside to discover that some scumbag blew up my mailbox. Pieces of it were scattered in a 25-foot circle around the place where it once stood. Police and San Mateo bomb-squad experts closed down four city blocks for several hours while they conducted an investigation into the blast. Residents were asked to stay in their homes as a precaution.

Pacifica Police Chief Jim Saunders gave me an update on the investigation on Jan. 12. The explosive device was not a bomb but a large M-80 firecracker. M-80's, which are illegal under federal law, typically carry 60 times the amount of explosives allowed in firecrackers. Pacifica police have no suspects and did not call the FBI or the United States Postal Police into the investigation.

I want to make clear that I hope nobody in the taxi industry had anything to do with this. But I know that many companies and medallion holders are very angered by me and UTW's latest actions for workplace justice. For instance, they are more than angry about our multi-million dollar lawsuit against three of the largest companies. We are asking the court to make them pay back the money they overcharged drivers for more than two years.

Many medallion holders are angry about our affordable healthcare proposal for all cabdrivers. They've been misled into believing that they would have to pay

for the whole plan, something we never proposed.

Considering these facts, I have to take this as a cowardly attack and a sign that we are doing something right at UTW.

I want to thank our friends at the New York Taxi Workers Alliance for sending a solidarity letter to the Attorney General of the State of California. I quote:

*"All taxi drivers throughout this country and across the globe have long faced financial and violent retaliation for our righteous struggle for work with dignity, justice, rights and respect. Such acts of cowardice only strengthen our resolve and embolden our unity. After all, drivers face more violence on the job than any other workforce in the USA (US Dept. of Labor.)"*

*"Just as we have an inalienable right to just working conditions, our leadership and membership have a right to organize free of threat, physical harm and retaliation."*

*In the labor movement, we see that "an injury to one is an injury to all." From the Atlantic to the Pacific, we will continue to watch this case like a hawk and make sure justice is served and further violence averted.*

*"We expect UTW Chair Thomas George-Williams, all the leadership of United Taxi Workers, and the drivers of San Francisco to be protected. We look forward to an expeditious investigation that sends a clear message that violence and intimidation of working people and our organizers will NOT be tolerated or ignored by the state of California."*

I ask the police to investigate harder, if for no other reason than to clear our industry from this very bad public image of violent taxi-company bosses. This image will linger until the police catch the scumbag who blew up my mailbox.

Without being naive, I truly hope it was some local neighborhood brats.

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## **Health Plan . . .** (Continued from p.1)

and still no health care, but the gates stayed high. Finally, UTW filed a lawsuit demanding a return of the gate overcharges. That lawsuit is in process.

But **finally**, something else is also in process: the Taxi Commission has set up a committee to figure out how to get health care for everyone in the industry. The Health Care Working Group has been meeting for several months. There are five voting members, including two Taxi Commissioners: President Paul Gillespie, the driver's representative, and Tom Oneto, the labor rep. Filling out the voting membership are Brian Browne, a cab company nominee appointed to replace Luxor Cab President John Lazar, who resigned from the group;

Dennis Korkos, a medallion holder; and myself, a driver not on the list and a member of UTW.

We have heard presentations from the Department of Public Health and two insurance services offering private health plans, as well as analyses by the city controller on financing options for the plan.

So far the group has agreed that health care must be mandatory. This eliminates the temptation for companies to hire only young, healthy drivers who don't need health care.

We are currently discussing who will pay what percentage of the plan. We have identified five potential contributors. Drivers might pay a monthly amount and a co-pay for services under the plan. Cab companies could

*(Continued on p.6)*

# Friends Preserve Memory of Yellow Driver

## *Funds Raised from Internet Appeal Will Help Family and War Victims*

**By Laxman Adhikari "Roshan"**

Uttam Rai, a fellow Yellow Cab Driver from Nepal, committed suicide on November 09, 2006 at his own apartment located at Daly City, California. The reason behind this heinous act has not been found yet especially after the investigatory group, his roommates and relatives failed to get any hints and suicidal notes at or around his apartment. "He never showed depression, aggression and sad face. He always kept laughing with his friends wherever he went," said his roommate. As a singer and musician, he was always busy singing songs in various Nepalese concerts in different parts of the U.S., banquets, get-together parties and with his friends. He used to sing his songs of up coming new Album whenever he met his buddies in person or on conference phone call.

Friends and well-wishers of Uttam congregated at his apartment in presence of his two roommates on the following day of the incident. Not only did they meet to know what the story was but also to discuss how they could move on without any financial hurdle to conduct the subsequent matters including cremation and getting his parents to the US. They decided to collect donations amid nationwide Nepalese friends by opening a trust account. However, having gone to Wells Fargo Bank on the following day, they came to acknowledge that it was big time hurdle to prepare so many paper works to open a trust account. Specially going through courts by retaining an attorney could not be worse than anything for small project. So, with an expectation of they could barely collect about \$10,000, Laxman Adhikari, the chief coordinator of the project, and Nanda Rai opened the joint checking account so that people can deposit money directly in the account regardless of their location.

Mr. Rai handled the account and financial transaction. Similarly, Mr. Adhikari was assigned two things; one, design a website; and two, correspondence. Upon completion of designing a simple site ([www.nepalgate.com/uttam](http://www.nepalgate.com/uttam)) with heartfelt pleading to the readers and putting viable information including developing news regarding the case, he did mass e-mail having web links with request to forward the link to each and everybody one knows in US. Mr. Adhikari and his friends called lots of people with request to relay the information and to get some financial help. They personally appreciated the donors by phones or e-mails or in person on behalf of Uttam's family.

In order to conduct his funeral, Uttam's parents and siblings were invited by NANC, Nepal Association of Northern California, with full of assurance to the U.S. Embassy in Kathmandu that the association would bear the total expenditure of the family during their short visit to the USA. Nevertheless, the embassy monotonously granted a visa to his father only. A bereaved father by no means would make via so many transits all the way to San Francisco. His maternal uncle Buddhi Rai, who resides in Ohio State, was authorized by Mr. Rai's parents to conduct the funeral service. In support of Nepalese community in bay area, his uncle performed the funeral service after 12 days of the incident.



*Uttam Rai*

As accordance with the previously made plan, the donation amount would not exceed \$10,000 and they would send the left over amount to his family as relief package. On the contrary, they have collected more than \$25,000 so far and people are still sending checks. The expenditure up until now indicates they have about \$16,000 remained. So, the question is whether the total amount should go to his parents or partial amount can be spent in some philanthropic project under his name in or around his village.

They are thinking to provide \$10,000 to his family and rest of the amount be spent in educational sector in his village area under his name. The village Uttam comes from lies in the Mt. Everest region and it takes approximately four days rough walking to or from the nearest road access.

The area had been terrorists' headquarter during the civil war in Nepal which is currently under truce agreement. The school children and locals were compelled to participate in various military-typed functions organized by the Maoists. Moreover, the local people were given unwanted position and responsibility by the Maoists. Those youths, who rejected the potent compulsion, left the village in fear of persecution. It is still very hard to find men aged 16-50 except the ones who have accepted the terrorist's rules and agreed to cooperate with them. There are handful records that the Maoists and Nepal Army ruthlessly killed locals in allegation of cooperating either one adversary side or being defiant to comply with their demand. There are handful numbers of children who have become orphans throughout their life and deprived from having what they deserve.

Now Uttam's friends are trying to provide scholarship and minimal salary to the poor and orphan children under this fund. The planning is not concrete yet and the discussion is under way to approach its final phase of planning. The project can not incorporate the whole area of Uttam's hometown district but his solo village.

## Health Plan . . . (Continued from p.4)

make a direct contribution. Permit holders could be assessed directly or through the companies they associate with. The public could be asked to contribute through a meter increase. And finally, the city itself is a potential financing participant. San Francisco has enacted its own health care plan, which is available to all residents. If drivers who live in town are covered by our (better) industry plan, the city could contribute some of the money it would save into our plan.

### SFO Taxi Pick-ups, 2000-2006

Year	Pick-ups	% Change from Previous Year	% Change from 2000
2000	1,698,444	—	—
2001	1,364,998	-19.6	-19.6
2002	1,154,578	-15.4	-32.0
2003	995,491	-13.8	-41.4
2004	1,075,261	+ 8.0	-36.7
2005	1,148,760	+ 6.8	-32.4
2006	1,214,146	+ 5.7	-28.5

Source: San Francisco International Airport, Landside Operations

### Need Help or Advice? Call UTW

What's the maximum gate your company can charge?  
 Are you required to post a security deposit?  
 Can you be charged back gates if you miss a shift?  
 Are you entitled to workers' compensation?  
 If you lose your job, can you collect unemployment?  
 What if you're assigned an unsafe cab?  
 If you'd like the answer to these or other work-related questions, we're here to help. Call us at **864-8294**.

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UTW has made an initial proposal that would divide the costs of the plan more-or-less evenly among the five participating groups. We believe a decent plan would cost about \$17 million, or about \$350 for each participating driver per month. Here is a breakdown of the expected cost-per-participant under UTW's suggested financing plan:

Drivers: \$40-per-month premium plus co-pays.

Permit holders: \$236 per month per medallion.

Cab companies: \$236 per month per medallion.

Public: 20 cents per ride.

City: \$300,000 per month.

The meetings are open to the public. At the moment, besides the working group itself and commission staff, most of the participants have been medallion holders. We need working drivers to speak in their own behalf.

We meet the 1<sup>st</sup> and 3<sup>rd</sup> Tuesdays of the month at 2 p.m. Most meetings are held in room 201 of City Hall.

You can speak up for health care. Do it.

### Problems at SFO?

Taxi drivers who observe problems or have disputes with dispatchers inside the garage or at the terminal stands at SFO should contact the on-duty shift manager at one of the following numbers: **(650) 821-2700** or **821-2704**. Problems or complaints can also be addressed to Landside

Scoma's restaurant  
**Pier 47**  
 on Al Scoma Way  
 San Francisco, CA 94133  
 Tel: 415.771.4383  
 Fax: 415.775.2601



**SweetWire Communication** is a new San Francisco Taxicab Driver Network committed to connecting the passenger directly to the driver. They need day drivers for their free beta-testing. Email: [sweetwire@sbcglobal.net](mailto:sweetwire@sbcglobal.net)

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## Questions for Cab Drivers

*Here's a test of how much you know about who's been moving and shaking the taxi industry for the past number of years:*

- ◆ What cab drivers' group was the moving force behind the 1998 city ordinance that reduced gates and made companies seek city approval to raise them?
- ◆ What group has been instrumental in the defeat of four taxi ballot measures devised by cab companies and permit holders to line their pockets at drivers' expense?
- ◆ What group led the successful fight to stop the issuance of 500 additional permits in 2001, saving the taxi industry from certain collapse?
- ◆ What group convinced city commissions to vote against Yellow's and Luxor's corporate taxi permits, leading to the return of 32 permits and their re-issuance to permit applicants?
- ◆ What group sponsored the tough new state law increasing fines for illegal limousine operations and allowing the impoundment of lawbreakers' vehicles?
- ◆ What group proposed and won initial approval of a cab driver health plan that is now in the works?
- ◆ What group is at every Taxi Commission meeting, fighting for drivers' rights and working to protect and promote their interests?

*If your answer to all these questions is  
United Taxicab Workers, you scored 100%!  
Unite to Win!*

## UTW/CWA MEMBERSHIP BENEFITS

**DELTA PMI DENTAL PLAN:** Dental care and treatment at network offices and clinics throughout the Bay Area and California. First exam free, X-rays free. Low co-payments for all dental procedures.

**Rates:** One person: \$72.03 per quarter. Rates for two or more furnished upon request.

**CWA LOW-INTEREST MASTER CARD.**

**PROVIDENT CENTRAL CREDIT UNION:** Savings and checking accounts, low monthly fees. ATM and Express phone services. Loans, investment services, car insurance, VISA cards.

**PREFERRED UNION PROTECTION and MUTUAL OF NEW YORK:** Life insurance, retirement funds, investment planning, mutual funds.

**CWA MORTGAGE and REAL ESTATE PROGRAM.**

**CWA UNION PRIVILEGE:** Union Driver and Traveler program, Hertz Rental Car program. Union Plus Credit Card. Low interest loans up to \$15,000.

**COUNSELING for WORKING PEOPLE:** Through the INSTITUTE FOR LABOR AND MENTAL HEALTH, individual counseling, child & family counseling, stress reduction groups, drug and alcohol treatment.

**CONSULTATION and REFERRALS:** Advice and consultation on workplace problems. Representation before California State agencies. Workers Compensation and Unemployment Insurance. Assistance with return of company deposits and assessments. Referrals to attorneys.

*Benefits are provided through United Taxicab Workers and Communications Workers of America, AFL-CIO. For information call (415) UNI-TAXI (864-8294). E-mail: utw8294@energy-net.org.*

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**DAVID K. UTHMAN**  
ATTORNEY AT LAW

**SAN FRANCISCO**  
**TRAFFIC CLINIC**

415.292.9600  
FAX 415.292.9604

### Report Illegal Taxis

*The Taxi Detail maintains a data base on illegal cabs. If you witness limousines or non-San Francisco cabs performing taxi services in San Francisco, please report the following: 1) date and time; 2) location; 3) license plate; 4) if a limo, the TCP number; 4) if an out-of-town cab, the company and cab number; 5) any phone number on the vehicle. The 24-hour telephone number is:*

**553-1447**

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